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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,525	05/11/2005	Hideyuki Sugamoto	272253US0PCT	5200
22850	7590	01/10/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER AHMED, SHEEBA	
			ART UNIT 1794	PAPER NUMBER
			NOTIFICATION DATE 01/10/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/534,525

Applicant(s)

SUGAMOTO ET AL.

Examiner

Sheeba Ahmed

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) 1-7, 14-17 and 24-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/11/05
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group II, claims 8-13 in the reply filed on October 22, 2007 is acknowledged. Claims 1-17 and 24-29 are pending with **claims 8-13 now under consideration.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oishi et al. (US 5234556 A) in view of Nagai et al. (US 4791184 A).

Oishi et al. disclose thin oxide films which can be applied in electronic devices. Specific embodiments are directed to a display unit comprising a substrate and transparent electrodes, a first insulating layer, a patterned light-emitting layer, a second insulating layer and upper electrodes formed on the substrate in that order, wherein the transparent electrodes, the first insulating layer and the second insulating layer are each composed of the metal oxide thin film. Example 9 is directed to a transparent member with a built-in conductive layer formed through the predetermined shaped body forming apparatus shown in FIG. 16. A solution was applied to an acrylic resin plate as the substrate. The substrate was immersed in solution, then pulled out and irradiated. By

repeating these operations five times, an indium-tin oxide (ITO) layer was formed on the acrylic resin plate. The ITO layer formed on the acrylic resin plate had a thickness of 0.5 microns and a width of 30 microns and a pattern as illustrated in FIG. 17(A). In the same manner, an electrode having an ITO film was formed and after formation of electrodes, the two were combined to obtain a touch panel (See Abstract and Detailed Description of Invention).

Oishi et al. do not teach that the acrylic resin plate is made by a process of polymerizing a mixture composed of 5 to 65 wt% of a mono-ethylenically unsaturated monomer containing an alkyl methacrylate having an alkyl group of 1 to 4 carbon atoms and 35 to 95 wt% of a poly-functional (meth)acrylate having two or more (meth)acryloyl groups in the presence of a polymerization initiator and at least one compound selected from the group consisting of cyclohexadiene and derivatives thereof and terpenoid-based compounds and derivatives thereof.

However, Nagai et al. disclose a methacrylic resin molding material having excellent weatherability and outstanding transparency and made from (A) a resin raw material selected from the group consisting of monomeric alkyl methacrylates, α , β -ethylenically unsaturated monomer mixtures formed of alkyl methacrylates and a syrup containing at least one of said monomers and at least one of the polymers thereof and (B) 4 to 150 parts by weight of a cross-linking agent based on 100 parts by weight of said resin raw material in the presence of a polymerization initiator, whereby a cross-linked polymer is formed with the aid of said cross-linking agent and said polymerization initiator (See Abstract). The monomers usable as the resin raw material (A) in the

present invention include alkyl methacrylates in their unadulterated form and mixtures of such alkyl methacrylates with α , β -ethylenically unsaturated monomers copolymerizable therewith. Examples of the copolymerizable monomer include alkyl methacrylates (as such alkyl methacrylates: 2-ethylhexyl methacrylate, lauryl methacrylate and cyclohexyl methacrylate) amongst other monomers. The cross-linking agent (B) to be used in the present invention in a monomer containing at least two (meth)acryloyl groups in the molecular unit thereof and having not more than 10 atoms along the main chain interposed between any two of (meth)acryloyl groups. As the polymerization initiator, it is advantageous to use a radical polymerization initiator formed of a peroxide and an azo compound and examples of specific regulating agent usable for this purpose include 1,4-cyclohexadiene. The regulating agent is added in an amount falling in the range of 0.0001 to 0.5% by weight (See Detailed Description of Invention).

Accordingly, it would have been obvious to one having ordinary skill in the art to use the methacrylic resin molding material taught by Nagai et al. as the acrylic resin plate in the touch panel disclosed by Oishi et al. given that Nagai et al. specifically teach that their methacrylic resin molding material has excellent weatherability and outstanding transparency.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheeba Ahmed whose telephone number is


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(571)272-1504. The examiner can normally be reached on Monday-Friday from 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571)272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sheeba Ahmed
January 3, 2008